

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

ADRIANA GUZMAN, *et al.*,

Plaintiffs,

v.

CHIPOTLE MEXICAN GRILL, INC.; *et al.*,

Defendants.

Case No. 4:17-cv-02606-HSG

**[PROPOSED] ORDER GRANTING
DEFENDANTS' MOTION FOR SUMMARY
JUDGMENT, OR IN THE ALTERNATIVE,
PARTIAL SUMMARY JUDGMENT**

Hearing Date: June 6, 2019

Hearing Time: 2:00 p.m.

Judge: Hon. Haywood S. Gilliam, Jr.

Removal Date: May 5, 2017

Trial Date: None

This matter came on for hearing before the Court, on June 6, 2019, the Honorable Haywood S. Gilliam, Jr. presiding, on Defendants' Motion for Summary Judgment, or In The Alternative, Partial Summary Judgment. The evidence presented having been fully considered, the issues having been duly heard and the decision having been duly rendered,

IT IS HEREBY ORDERED AND ADJUDGED that:

[] Summary Judgment is entered against Plaintiffs Juan Pablo Aldana Lira, Adriana Guzman, and Jonathan Poot, and in favor of all Defendants in this matter, as to the entirety of Plaintiffs' Complaint.

[] Partial Summary Judgment is entered against Plaintiffs Juan Pablo Aldana Lira, Adriana Guzman, and Jonathan Poot, and in favor of Chipotle Mexican Grill, Inc. ("CMG, Inc.") in this matter, as to the entirety of Plaintiffs' Complaint.

[] Partial Summary Judgment is entered against Plaintiffs Juan Pablo Aldana Lira, Adriana Guzman, and Jonathan Poot, and in favor of all Defendants in this matter, as to Plaintiff's First Cause of Action for Employment Discrimination: Disparate Treatment on the Basis of Race/National Origin (Cal. Gov. Code §12940(a)).

[] Partial Summary Judgment is entered against Plaintiffs Juan Pablo Aldana Lira, Adriana Guzman, and Jonathan Poot, and in favor of all Defendants in this matter, as to Plaintiff's Second Cause of Action for Employment Discrimination: Disparate Impact on the Basis of Race/National Origin (Cal. Gov. Code §12940(a)).

[] Partial Summary Judgment is entered against Plaintiffs Juan Pablo Aldana Lira, Adriana Guzman, and Jonathan Poot, and in favor of all Defendants in this matter, as to Plaintiff's Third Cause of Action for Harassment on the Basis of Race/National Origin (Cal. Gov. Code §12940(j)).

[] Partial Summary Judgment is entered against Plaintiffs Juan Pablo Aldana Lira, Adriana Guzman, and Jonathan Poot, and in favor of all Defendants in this matter, as to Plaintiff's Fourth Cause of Action for Failure to Prevent Discrimination and Retaliation (Cal. Gov. Code §12940(k)¹).

[] Partial Summary Judgment is entered against Plaintiffs Juan Pablo Aldana Lira, Adriana Guzman, and Jonathan Poot, and in favor of all Defendants in this matter, as to Plaintiff's Fifth Cause of Action for Retaliation (Cal. Gov. Code §12940(h)).

[] Partial Summary Judgment is entered against Plaintiffs Juan Pablo Aldana Lira, Adriana Guzman, and Jonathan Poot and in favor of all Defendants in this matter, as to Plaintiff's claims for punitive damages. It is ordered that Plaintiff take nothing on her claims for punitive damages and that those claims be dismissed on the merits as to all Defendants in this matter.

IT IS SO ORDERED.

Dated: _____,

HONORABLE HAYWOOD S. GILLIAM, JR.
United States District Judge

¹ Plaintiffs' SAC erroneously identifies Cal. Govt. Code §12940 (j) as the relevant subsection. (SAC ¶124)